

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JERMAINE DOCKERY, ET AL.

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:13-cv-326-WHB-JCG

PELICIA HALL, ET AL.

DEFENDANTS

ORDER

This cause is before the Court on the evidentiary objections to the deposition testimony that was submitted to the Court for review in conjunction with the bench trial of this civil case. The depositions at issue are (1) the Rule 30(b)(6) deposition of Management and Training Corporation Representative Marjorie Brown; (2) the Rule 30(b)(6) deposition of Trinity Services Group, Inc., designee David L. Thumma; (3) the Rule 30(b)(6) deposition of the State of Mississippi Department of Corrections Representative Jerry Williams; (4) the Rule 30(b)(6) deposition of the State of Mississippi Department of Corrections Representative Rick McCarty; and (5) Marilyn Braxton. The most frequent objections to the subject deposition testimony are relevancy, cumulativeness, speculation/lack of foundation, and leading.

The Court has read the subject depositions in their entirety, and has considered the objections and responses thereto. The Court finds that many of the objections, in particular those like cumulativeness and leading, serve no functional purpose because the case is being tried by the bench, and not a jury of laymen. The

Court also finds that many of the objections would be overruled on their merits.

Accordingly, the Court will presently overrule all of the objections made with respect to the subject deposition testimony. The Court, however, will only consider that deposition testimony that comports with the Federal Rules of Evidence.

SO ORDERED this the 26th day of April, 2018.

s/ William H. Barbour, Jr.
UNITED STATES DISTRICT JUDGE